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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,178	01/19/2004	Hirofumi Sakai	9319G-000649	8081

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EXAMINER

LOUIE, WAI SING

ART UNIT PAPER NUMBER

2814

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,178

Applicant(s)

SAKAI, HIROFUMI

Examiner

Wai-Sing Louie

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)

DETAILED ACTION

Applicant's election with traverse of Group I, claims 1-7, in the reply filed on 4/5/05 is acknowledge. The invention in Group I is an organic light-emitting device comprises a plurality of light-emitting elements and the invention in Group II is a method of manufacturing the device. Group I and Group II are related as process of making and product made. Therefore, the inventions are distinct and the restriction is proper. The restriction is final. It is suggested that non-elected claims 8-13 be canceled in the response to this Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-n are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 6,750,472) in view of Maruyama et al. (US 6,724,150).

With regard to claims 1-2 and 4-7, Suzuki et al. disclose an organic electroluminescent device (col. 4, line 36 to col. 15, line 55 and fig. 1). The device would apply to the flat panel display apparatus (col. 1, lines 20-27).

- The device comprises a light-emitting layer 33 having a predetermined thickness (col. 7, lines 12-16 and fig. 1);

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- A hole transport layer 31 for supplying positive holes to the light-emitting layer 33;
- The device comprises an adjustment to the deterioration of emission characteristics over time (col. 5, lines 47-50) by selecting the correct host material for the hole transport layer 31 having higher bandgap than electron capture layer 32 (col. 5, lines 4-10) and deposit the predetermined thickness of the hole transport layer 31 (col. 6, lines 53-65 and fig. 1);
- Suzuki et al. do not disclose a plurality of light-emitting units. However, Maruyama et al. disclose a display device where the pixel portion 112 is composed of organic light-emitting elements (Maruyama col. 1, lines 45-47 and fig. 5) and the organic light-emitting layer 114 comprises an electron transport layer, a light-emitting layer, and a hole transport layer (Maruyama col. 12, lines 37-46). Maruyama et al. teach the OLED would reduce weight and thickness of the display (Maruyama col. 1, lines 48-50). Suzuki et al. and Maruyama et al. have substantially the same environment of light display panel having organic light-emitting elements. Thus, it would have been obvious for the one with ordinary skill in the art to modify Suzuki's device with the teaching of Maruyama et al. to have a plurality of light-emitting units in a display device in order to reduce weight and thickness of the device.

With regard to claim 3, in addition to the limitations disclosed in claim 1 above, Suzuki et

al. also disclose:

- An electron transport (donor) layer 34 (fig. 1);

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- Suzuki et al. deposit the predetermined thickness of the electron transport layer 31 (col. 7, lines 28-30 and fig. 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai-Sing Louie whose telephone number is (571) 272-1709. The examiner can normally be reached on 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wsl

May 3, 2005.